

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
:
UNITED STATES OF AMERICA,
:
Plaintiff,
:
-and-
:
THE VULCAN SOCIETY, INC., for itself and on behalf of
its members, and MARCUS HAYWOOD, CANDIDO
:
NUÑEZ and ROGER GREGG, individually and on behalf
of a class of all others similarly situated,
:
Plaintiffs-Intervenors,
:
-against-
:
THE CITY OF NEW YORK,
:
Defendant.
:
-----X

**STATEMENT OF FEES &
EXPENSES**

07-cv-2067 (NGG)(RLM)

MARY JO WHITE, Special Master.

This fifth Statement of Fees and Expenses is submitted in accordance with the Court's June 1, 2010 Order Appointing Special Master (the "Appointment Order") (Dkt. No. 448, ¶ 14). The Appointment Order requires that:

Every 60 days, the Special Master shall submit to the court an itemized statement of fees and expenses, which the court will inspect for regularity and reasonableness. If the court determines the itemized statement is regular and reasonable, the court will sign it and transmit it to the parties. The City shall then remit to the Special Master any court-approved amount, within 20 calendar days of court approval.

(*Id.*)

The Special Master and her law firm have agreed to work on a pro bono basis and accordingly, there are no fees to be paid. For the period of January 14, 2011 through March 21, 2011, the Special Master has incurred expenses totaling \$1,269.96. An itemized list of the expenses is attached as Exhibit 1.

This statement also includes Dr. Pittman's fees and expenses for the months of January and February. For the month of January, Dr. Pittman's fees were \$7,625 and her expenses were \$471.76, for a total of \$8,096.76. For the month of February, her fees were \$12,625.00 and her expenses were \$1,303.31, for a total of \$13,928.31. Invoices for Dr. Pittman's fees and expenses are attached hereto as Exhibits 2 and 3. These fees fall within the projected monthly fees of between \$7,000 to \$17,000 stated in the Special Master's Application for Approval of Proposed Budget for Special Master's Expert Consultant (Dkt. No. 516), which was approved by the Court on September 3, 2010 (Dkt. No. 519).

Accordingly, the total expenses for the Special Master's work for this period were \$23,295.03. We respectfully request that that Court approve all of these expenses.

/s/ Mary Jo White

Mary Jo White

Dated: March 29, 2011

Exhibit 1

DEBEVOISE & PLIMPTON LLP

919 Third Avenue
 New York, NY 10022
 Tel 212 909 6000
 Fax 212 909 6836
 www.debevoise.com

***EASTERN DISTRICT OF NEW YORK-Special Master
 Appointment***

03/25/2010

Disbursements and Charges itemized for the period Jan 14, 2011 to Mar 21, 2011.

Detailed Breakdown of Charges and Disbursements

<u>Description</u>	<u>Amount</u>
Word Processing - Non Network	\$83.00
Telephone Conferencing & Outside Vendors	\$375.41
Federal Express, DHL & UPS deliveries	\$33.74
Duplicating	\$391.80
Binding	\$30.00
Document Production & Proofreading	\$95.40
Telephone Toll Calls	\$30.84
Research Information Services	\$68.81
Lawyer Late Night Transportation	\$160.96
Matter Total	\$ 1,269.96

Exhibit 2

Invoice for Services from:

6626-A Wilson Lane
Bethesda, MD 20817
301.320.9500

Invoice to:
Philip A. Fortino
Debevoise & Plimpton LLP
919 Third Avenue
New York, New York 10022

Billing Hours for Client: NYC v US
Jan-11

Project:	FDNY Entry Level Testing	
Invoice #:		NYCvUS Jan-11
Terms:	Net 15	
Inv. Date:	2/9/2011	
Please Remit this Amount:	\$8,096.76	
Remit to:	<u>The Pittman McLenagan Group, L.C.</u>	
	6626-A Wilson Lane	
	Bethesda, MD 20817	

Date	Project Description	Hours	Cost
1/3/2011	Reviewed materials	0.75	\$187.50
1/4/2011	Call with experts	1.00	\$250.00
1/6/2011	Reviewed materials	0.75	\$187.50
1/7/2011	Reviewed materials and correspondence	1.00	\$250.00
1/6/2011	Reviewed materials	1.00	\$250.00
1/10/2011	Reviewed materials	0.75	\$187.50
1/10/2011	Call with experts	1.00	\$250.00
1/10/2011	Drafted materials	0.50	\$125.00
1/10/2011	Call with C. Dike, drafted materials	0.50	\$125.00
1/11/2011	Reviewed materials	0.50	\$125.00
1/12/2011	Reviewed materials	2.50	\$625.00
1/13/2011	Call with C. Dike	0.75	\$187.50
1/14/2011	Call with P. Fortino and C. Dike	0.50	\$125.00
1/17/2011	Reviewed materials and correspondence	1.00	\$250.00
1/17/2011	Call with experts	1.00	\$250.00
1/18/2011	Call with experts	1.50	\$375.00
1/19/2011	Reviewed materials	1.00	\$250.00
1/19/2011	Reviewed and commented on materials	0.50	\$125.00
1/20/2011	Drafted comments/correspondence	0.50	\$125.00
1/20/2011	Correspondence and research	0.75	\$187.50
1/21/2011	Reviewed materials and correspondence	0.50	\$125.00
1/24/2011	Reviewed materials	0.25	\$62.50
1/24/2011	Meeting with Special Master, counsel, and experts	7.00	\$1,750.00
1/25/2011	Call with C. Dike, reviewed materials	0.50	\$125.00
1/25/2011	Reviewed materials	0.50	\$125.00
1/26/2011	Call with C. Dike	0.50	\$125.00
1/28/2011	Call with experts	1.50	\$375.00
1/29/2011	Reviewed correspondence	0.5	\$125.00
1/30/2011	Call with C. Dike, reviewed correspondence	0.5	\$125.00
1/30/2011	Reviewed materials	1	\$250.00
			\$0.00
		Expenses	\$471.76
		30.50	\$8,096.76

Exhibit 3

Invoice for Services from:

The Pittman McLenagan Group, L.C.
6626-A Wilson Lane
Bethesda, MD 20817
301.320.9500
Tax Identification #: 52-1924078
PMG Contact:
 Shane Pittman, Ph.D.
 301-320-9500

Invoice to:
 Philip A. Fortino
 Debevoise & Plimpton LLP
 919 Third Avenue
 New York, New York 10022

Billing Hours for Client: NYC v US
 Feb-11

Project:	FDNY Entry Level Testing	
Invoice #:		NYCvUS Feb-11
Terms:	Net 15	
Inv. Date:	3/24/2011	
Please Remit this Amount:	\$13,928.31	
Remit to:	<u>The Pittman McLenagan Group, L.C.</u>	
	6626-A Wilson Lane	
	Bethesda, MD 20817	

Date	Project Description	Hours	Cost
2/1/2011	Review of materials	1.50	\$375.00
2/2/2011	Meeting with experts	9.50	\$2,375.00
2/3/2011	Meeting with experts	9.00	\$2,250.00
2/5/2011	Review of materials	1.00	\$250.00
2/6/2011	Review of materials	2.50	\$625.00
2/7/2011	Call with P. Fortino and C. Dike	1.50	\$375.00
2/8/2011	Review of materials/correspondence	0.50	\$125.00
2/9/2011	Review of materials	0.50	\$125.00
2/10/2011	Call with C. Dike	1.50	\$375.00
2/10/2011	Review of materials; call with C. Dike	1.50	\$375.00
2/11/2011	Review of materials	0.75	\$187.50
2/11/2011	Call with C. Dike	0.50	\$125.00
2/14/2011	Call with M.B. Hogan, P. Fortino, C. Dike	1.25	\$312.50
2/14/2011	Various correspondence	0.25	\$62.50
2/15/2011	Review of materials	0.25	\$62.50
2/17/2011	Review of materials	0.25	\$62.50
2/18/2011	Call with experts	1.75	\$437.50
2/18/2011	Call with P. Fortino and C. Dike	0.75	\$187.50
2/21/2011	Review of materials	0.75	\$187.50
2/21/2011	Review of materials	0.50	\$125.00
2/22/2011	Call with M.B. Hogan, P. Fortino, C. Dike	1.00	\$250.00
2/23/2011	Memo	2.00	\$500.00
2/24/2011	Review modified job analysis report	0.50	\$125.00
2/25/2011	Review of materials; memo	2.50	\$625.00
2/25/2011	Call with experts	1.00	\$250.00
2/25/2011	Call with M.J. White, M.B. Hogan, P. Fortino, C. Dike	1.25	\$312.50
2/26/2011	Memo	0.50	\$125.00
2/27/2011	Research	3.5	\$875.00
2/28/2011	Research	1.5	\$375.00
2/28/2011	Review of materials	0.75	\$187.50
			\$0.00
Expenses			\$1,303.31
50.50			\$13,928.31